

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT				1. CONTRACT ID CODE		PAGE 1 OF 2 PAGES	
2. AMENDMENT/MODIFICATION NO. 0001		3. EFFECTIVE DATE 09/09/04		4. REQUISITION/PURCHASE REQ. NO.		5. PROJECT NO. (If applicable)	
6. ISSUED BY U.S. Army Engineer District, Wilmington 69 Darlington Avenue (28403) Post Office Box 1890 (28402-1890) Wilmington, North Carolina		7. ADMINISTERED BY (If other than Item 6)		CODE			
8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)				(X)		9A. AMENDMENT OF SOLICITATION NO.	
				X		W912PM-04-B-0012	
						9B. DATED (SEE ITEM 11) 08/19/04	
						10A. MODIFICATION OF CONTRACT/ORDER NO.	
						10B. DATED (SEE ITEM 11)	
CODE		FACILITY CODE					

11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS

- ☒ The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers ☐ is extended, ☒ is not extended.
- Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods:
- (a) By completing items 8 and 15, and returning 2 copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment your desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.

12. ACCOUNTING AND APPROPRIATION DATA (If required)

**13. THIS ITEM ONLY APPLIES TO MODIFICATION OF CONTRACTS/ORDERS.
IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.**

CHECK ONE	A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.
	B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b).
	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:
	D. OTHER (Specify type of modification and authority)

E. IMPORTANT: Contractor ☐ is not, ☐ is required to sign this document and return _____ copies to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)
IFB NO. W912PM-04-B-0012...Maintenance Dredging, Manteo (Shallowbag) Bay, Channel to Wanchese, Old House Channel, Walter Slough and Manteo North Channels, Dare County, North Carolina is amended as follows:

(See Page 2 of 2 Pages)

Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

15A. NAME AND TITLE OF SIGNER (Type or print)		16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)	
15B. CONTRACTOR/OFFEROR		16B. UNITED STATES OF AMERICA	
15C. DATE SIGNED		16C. DATE SIGNED	
(Signature of person authorized to sign)		(Signature of Contracting Officer)	

SECTION 01355A:

(1) **Attachment 4:** Add the following enclosed Figures in their entirety:

Figures 2 and 4
Figure 5
Figure B-1
Figures B-2 through B-7
Figure C-1

(2) **Attachment 5:**

- (a) Delete existing Cover and replace with revised Cover.
- (b) Add enclosure in its entirety (11 pages).

(3) **Attachment 6:**

- (a) Delete existing Cover and replace with revised Cover.
- (b) Add enclosure in its entirety (3 pages).

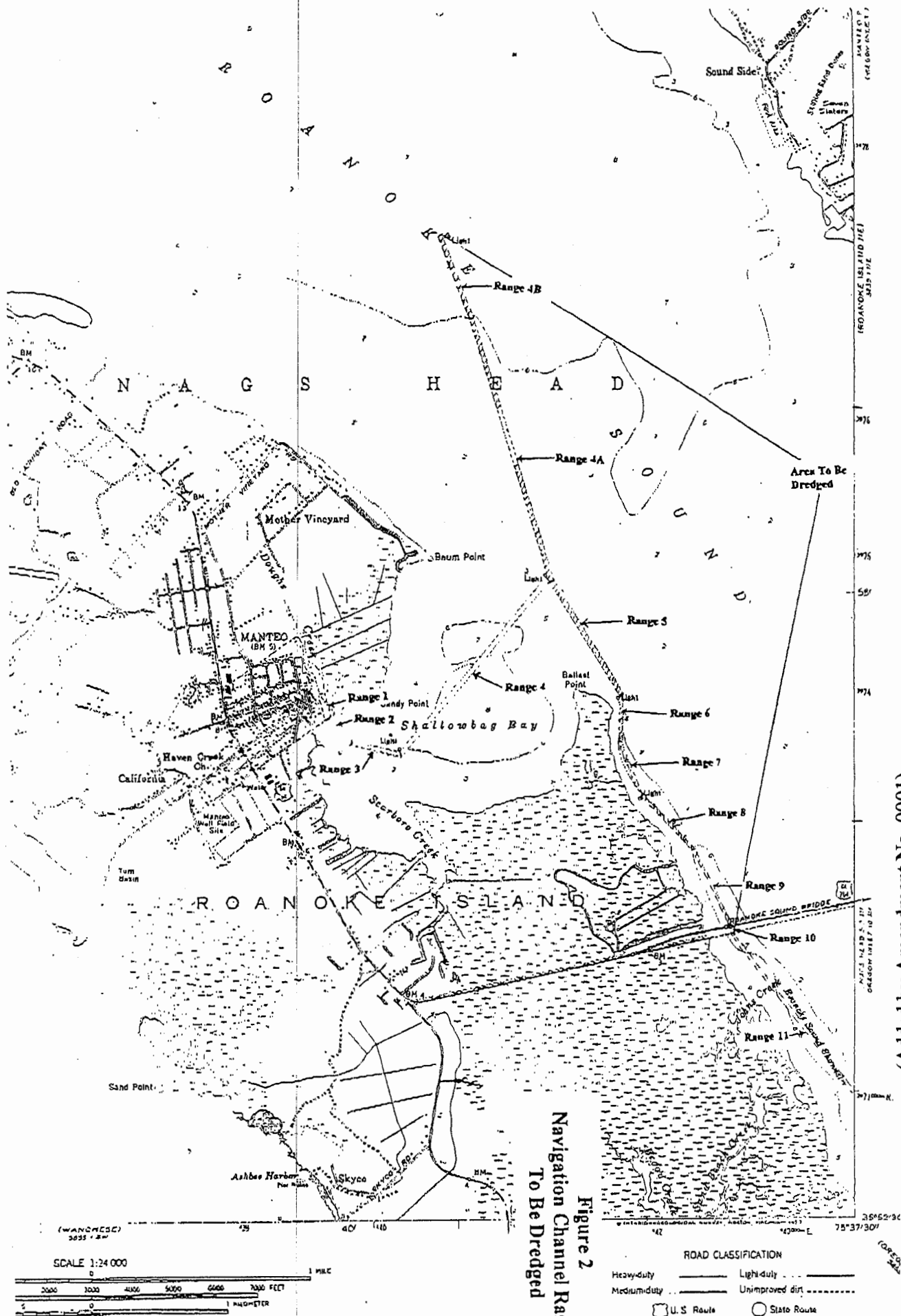
NOTE:

Text that is added or revised by this amendment is replaced in its entirety and underlined and/or printed in bold and/or stamped appropriately.

The text changes may have necessitated reformatting of subsequent text or pages. If this is the case, those pages have also been issued as amended pages but are not underlined with bold text.

(End of Summary of Changes)

Encls
As stated



(Added by Amendment No. 0001)

FIGURE 4 **ALTERNATIVE PIPELINE ROUTES**

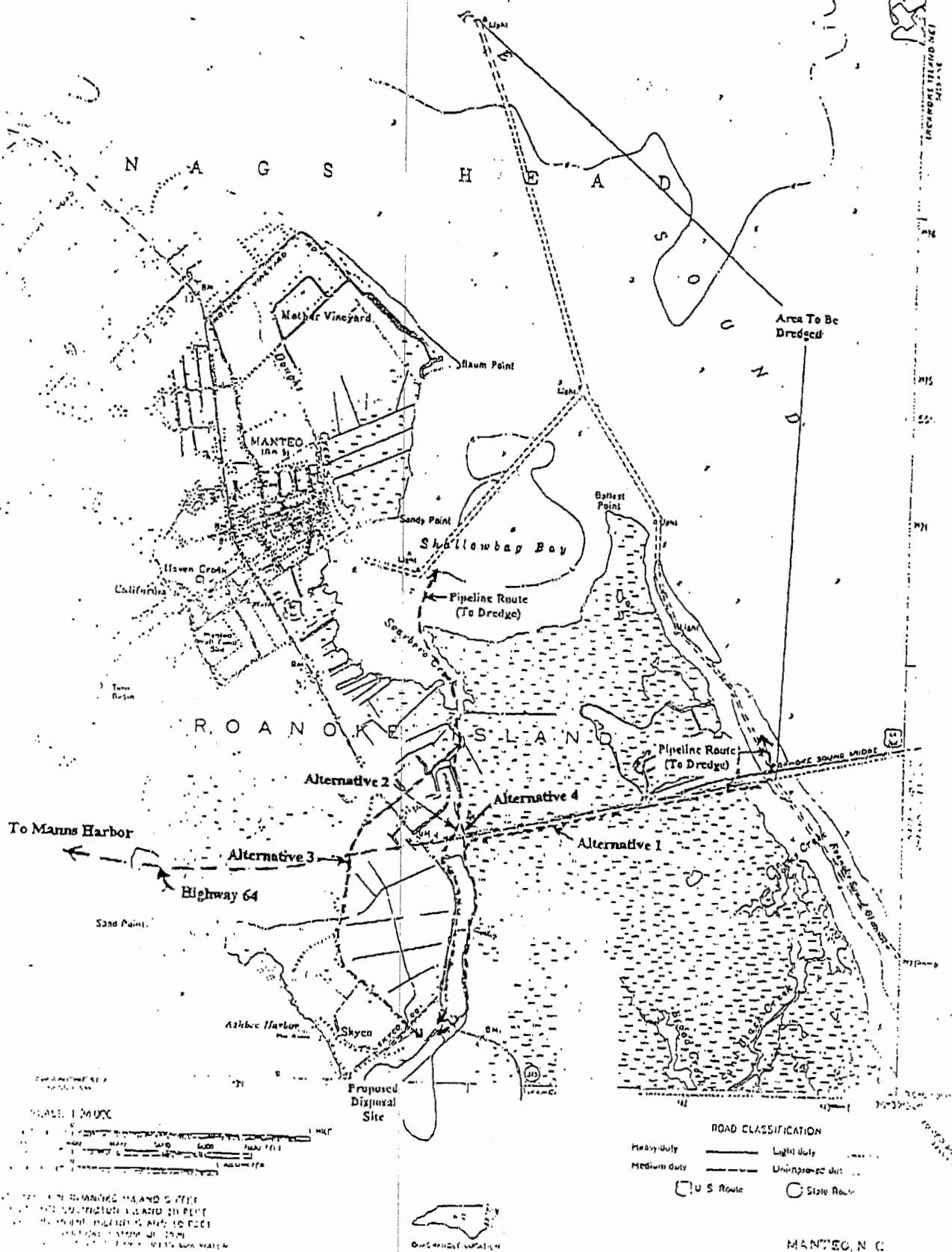
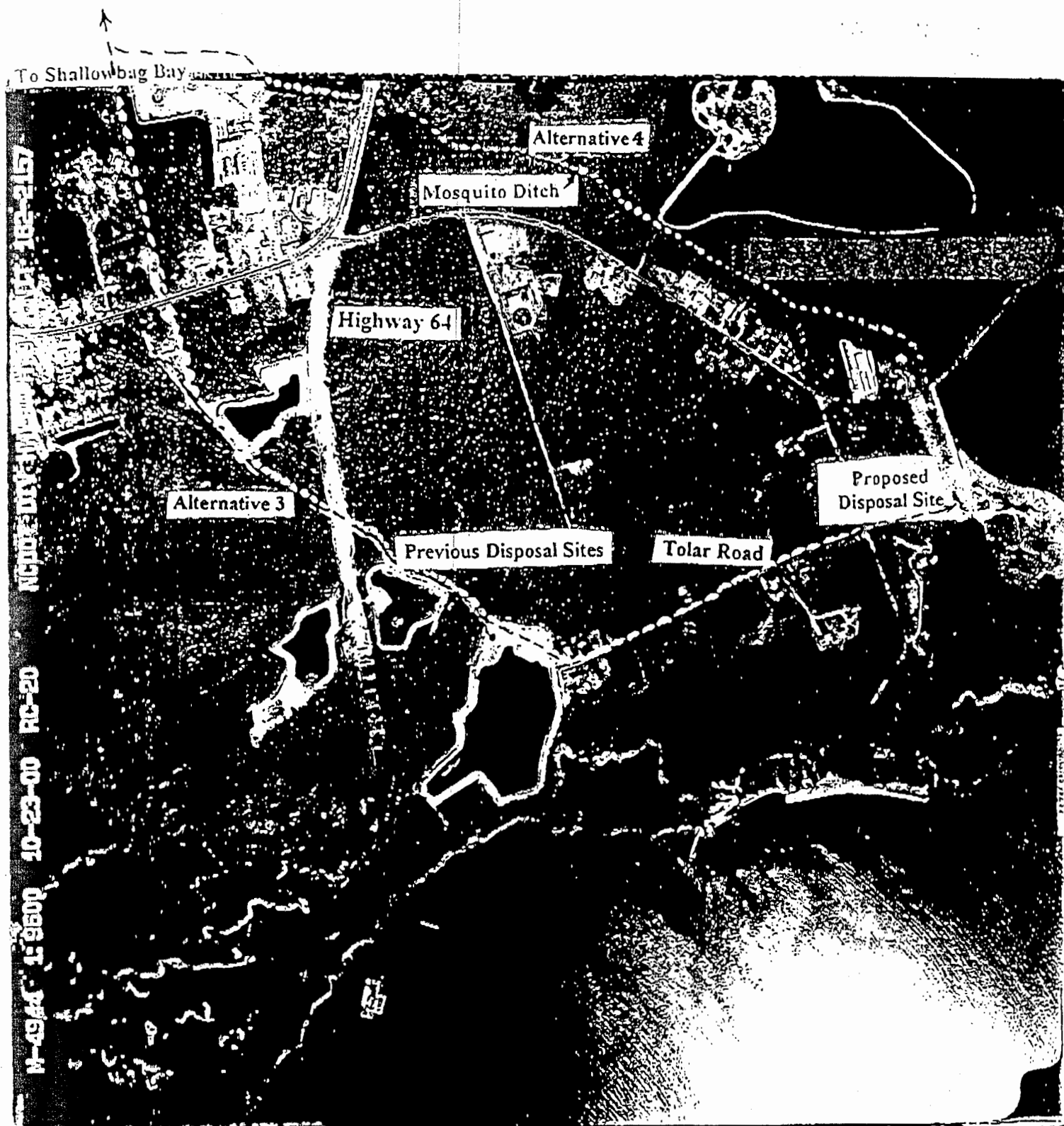


FIGURE 5 PROPOSED PIPELINE ROUTES

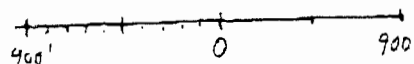


NC Division of Water Resources

April, 2003

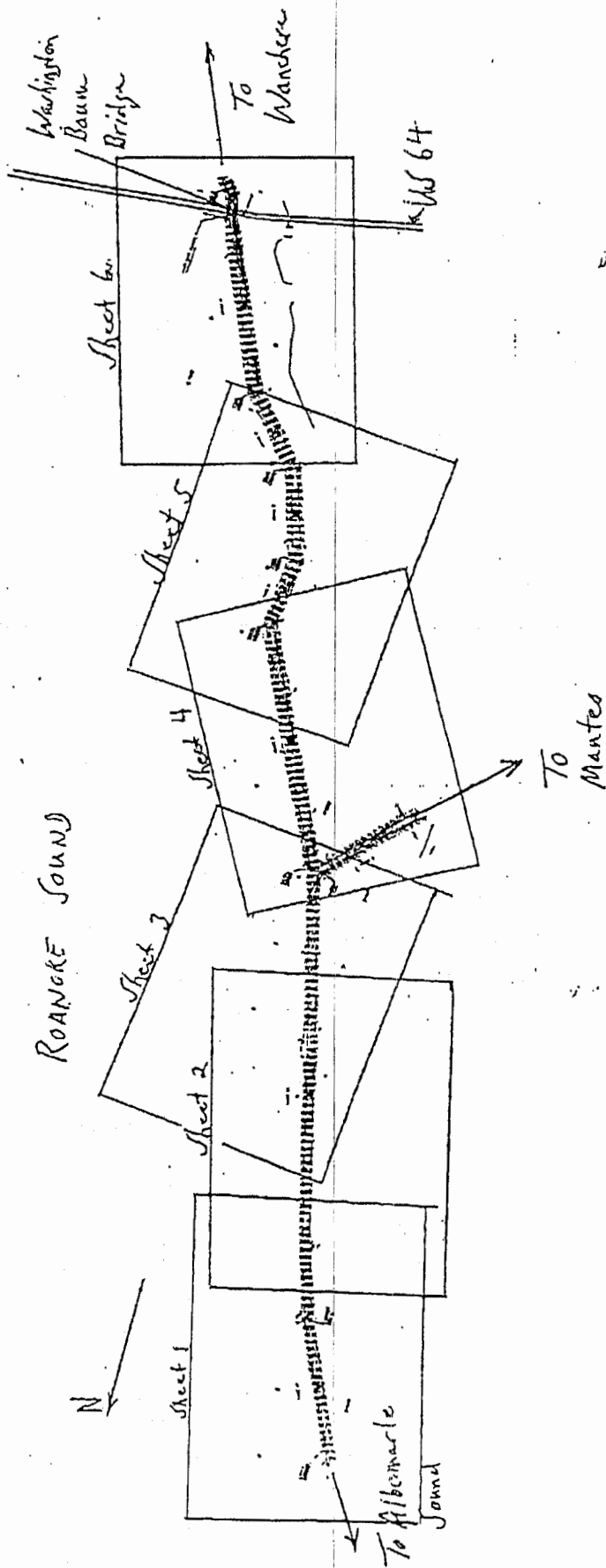
North

Scale: 1" = 900'

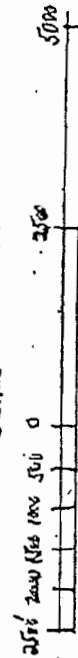


LOCATION MAP OF DEPTH SURVEY SHEETS

NORTH & MANTO TO WANCHICEE NAVIGATION CHANNELS



SCALE IN FEET



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COASTAL MANAGEMENT
ELIZABETH CITY

B-1

DEPTH SURVEY IN FEET MEAN LOW WATER

NORTH CHANNEL - RANGES 4A & 4B (Partial)

SHEET 1

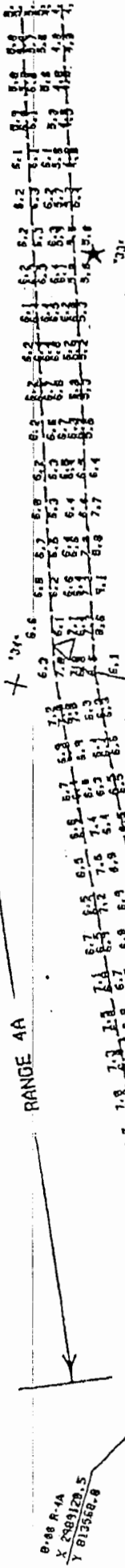
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COASTAL MANAGEMENT
ELIZABETH CITY

RANGE 4B

RANGE 4A

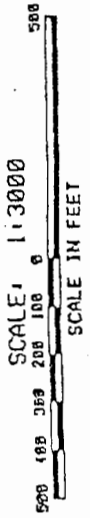


B - 2

2889120.5

U.S. ARMY ENGINEER DISTRICT CORPS OF ENGINEERS WILMINGTON, NORTH CAROLINA		WANTED (SHALLOWBAG BAY) NORTH CAROLINA	
SURVEYED BY: C.R.P.	US ARMY CORPS OF ENGINEERS	SCALE: 1:3000	PLATE NUMBER:
DRAWN BY: J.R.A.		DATE: 21 APRIL 2003	SURVEYED: 16, 17 APRIL 2003
CHECKED BY:		MAP FILE NO. MR 105-03-24	SHEET OF
REVIEWED BY: RAY		RANGE 4A RANGE 4B	
APPROVED BY:			
CHIEF NAVIGATION BRANCH			

(Added by Amendment No. 0001)



DEPTH SURVEY IN FEET MEAN LOW WATER

NORTH CHANNEL - RANGE 4B (Partial)

SHEET 2

RANGE 4B

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MAR 04 2004

COASTAL MANAGEMENT
ELIZABETH CITY

U.S. ARMY ENGINEER DISTRICT
CORPS OF ENGINEERS
WILMINGTON, NORTH CAROLINA

MANTED (SHALLOWBAY) NORTH CAROLINA

US ARMY CORPS
OF ENGINEERS

RANGE 4A
RANGE 4B

SCALE: 1:3000

DATE: 21 APRIL 2003

MAP FILE NO. MB 105-03-24

SURVEYED,

16.17 APRIL 2003

PLATE NUMBER,

REVIEWED BY:

RAY

APPROVED BY:

CHIEF NAVIGATION BRANCH

SHEET

OF

SCALE: 1:3000

500 400 300 200 100 0

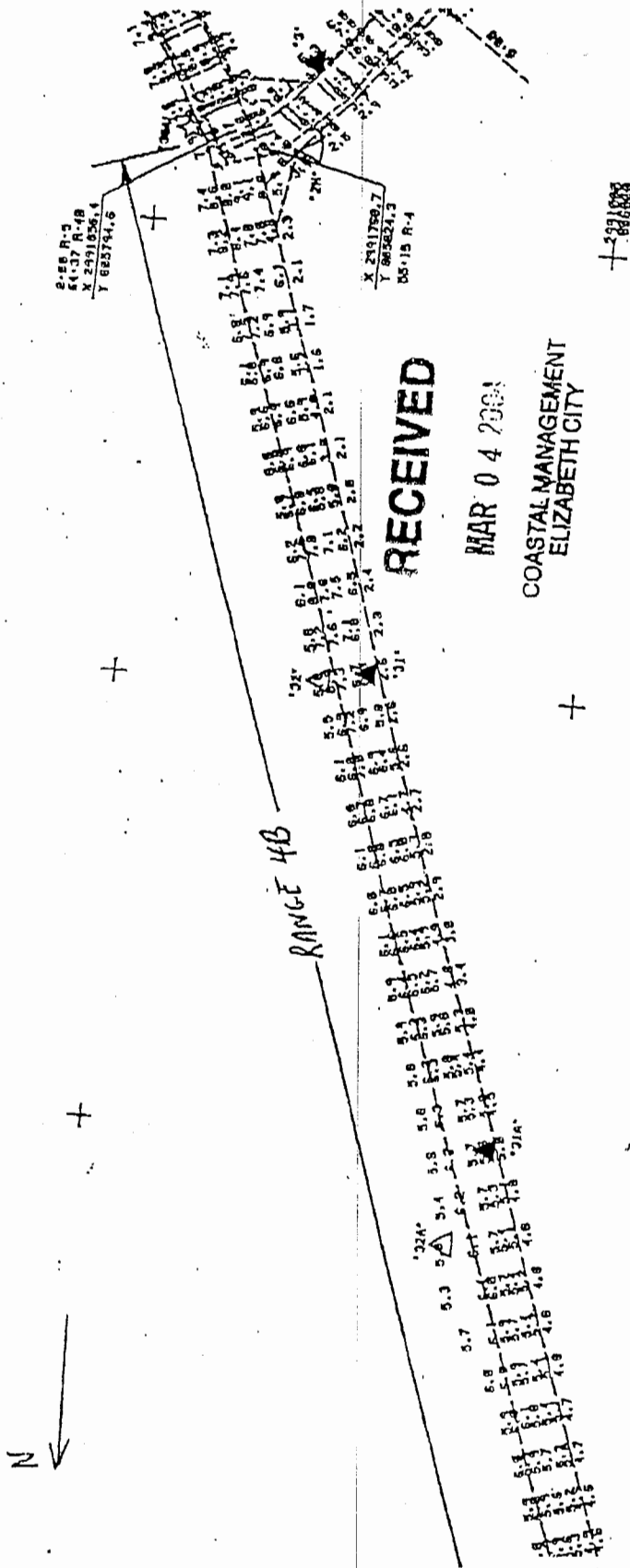
SCALE IN FEET

(Added by Amendment No. 0001)

B-3

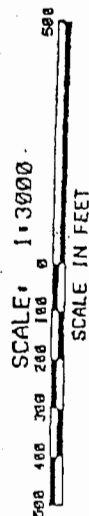
DEPTH SURVEY IN FEET MEAN LOW WATER NORTH CHANNEL - RANGE 4B (Partial)

SHEET 3



B-4

(Added by Amendment No. 0001)

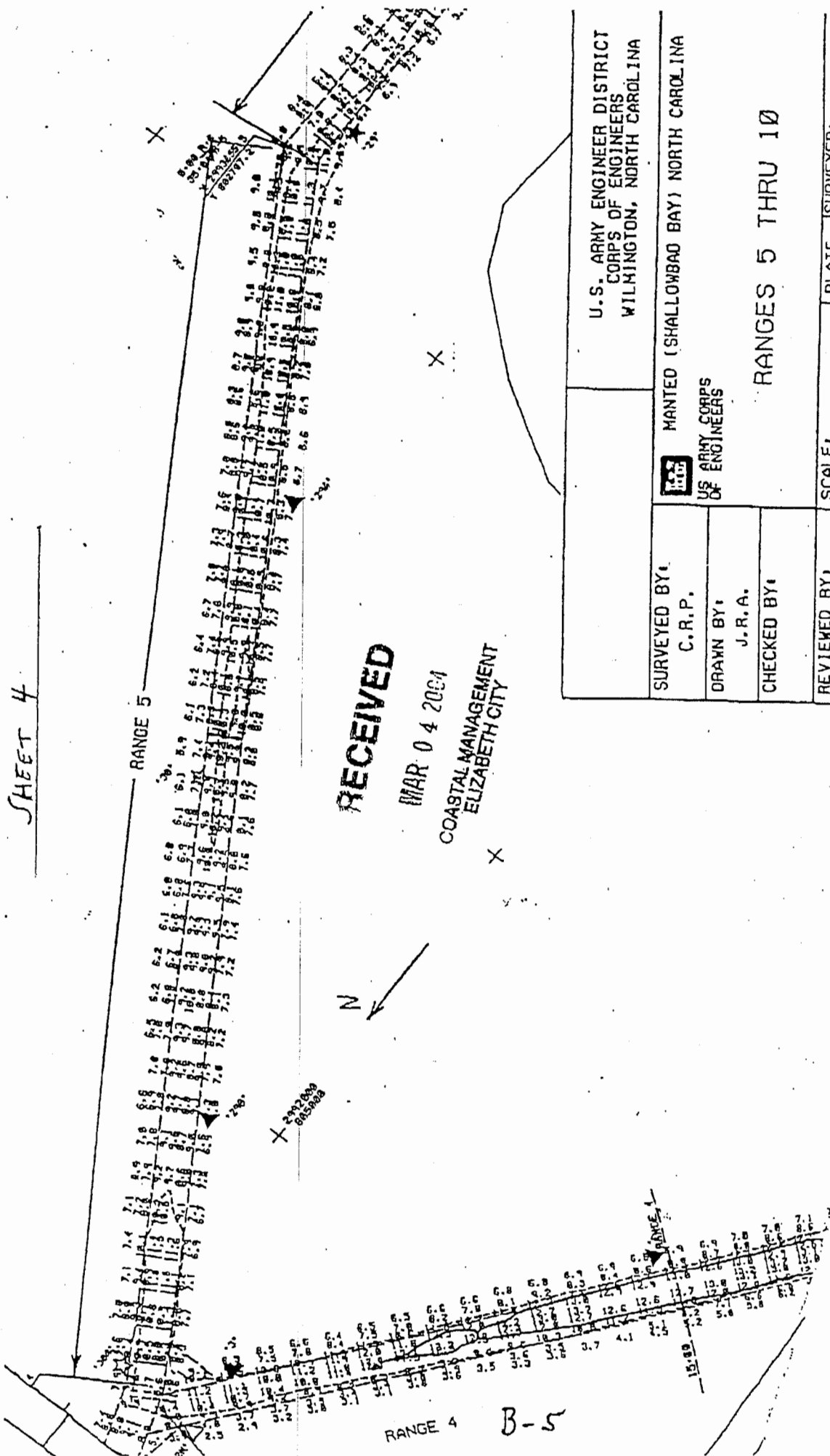


SURVEYED BY: C.R.P.		U.S. ARMY ENGINEER DISTRICT CORPS OF ENGINEERS WILMINGTON, NORTH CAROLINA	
DRAWN BY: J.R.A.		MANITO (SHALLOWBAG BAY) NORTH CAROLINA	
CHECKED BY:		RANGE 4A RANGE 4B	
REVIEWED BY: RNV	SCALE: 1:3000	PLATE NUMBER:	SURVEYED: 16.17 APRIL 2003
APPROVED BY:	DATE: 21 APRIL 2003		
CHIEF NAVIGATION BRANCH	MAP FILE NO. MB 105-03-24	SHEET OF	

DEPTH SURVEY IN FEET MEAN LOW WATER

MANTEO TO WANCHESE CHANNEL - RANGE 5

SHEET 4



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MAR 04 2004

COASTAL MANAGEMENT
ELIZABETH CITY

SCALE 1:3000

SCALE IN FEET

U.S. ARMY ENGINEER DISTRICT
CORPS OF ENGINEERS
WILMINGTON, NORTH CAROLINA



MANTED (SHALLOW BAY) NORTH CAROLINA
US ARMY CORPS
OF ENGINEERS

RANGES 5 THRU 10

SURVEYED BY:
C.R.P.

DRAWN BY:
J.R.A.

CHECKED BY:

REVIEWED BY:
RNV

APPROVED BY:

SCALE: 1:3000

DATE:
21 APRIL 2003

MAP FILE NO.
MB 105-03-26

PLATE NUMBER:
16,17 APRIL 2003

SHFT OF

(Added by Amendment No. 0001)

DEPTH SURVEY IN FEET MEAN LOW WATER

MANTEO TO WANCHESE CHANNEL - RANGES 5 (Partial), 6, 7, 8 (Partial)

SHEET 5

LONG. 75.64420
LONG. 75.64349
LONG. 75.64261
LONG. 75.64007
LONG. 75.63648

REVIEWS MADE ON THE
AL CONDITIONS

ARMY CORPS OF
ENGINEERS OF INDIVIDUALS
BY NAME AS REQUIRED

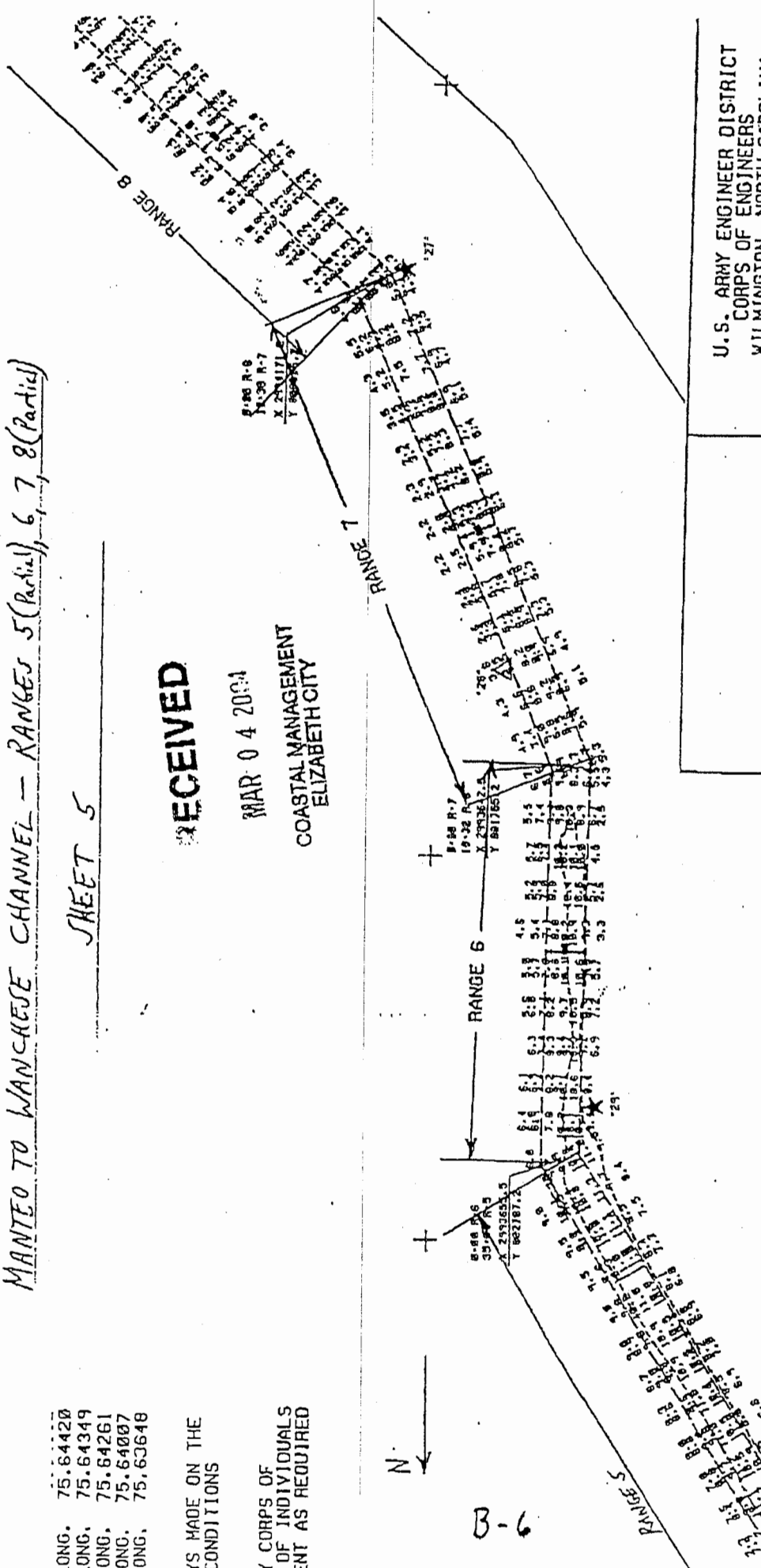
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COASTAL MANAGEMENT
ELIZABETH CITY

N

B-6



U.S. ARMY ENGINEER DISTRICT
CORPS OF ENGINEERS
WILMINGTON, NORTH CAROLINA

MANTEO (SHALLOWBAY) NORTH CAROLINA

U.S. ARMY CORPS
OF ENGINEERS

RANGES 5 THRU 10

(Added by Amendment No. 0001)

SURVEYED BY:
C.R.P.

DRAWN BY:

J.R.A.

CHECKED BY:

REVIEWED BY:

RAY

APPROVED BY:

SCALE: 1:3000

DATE: 21 APRIL 2003

MAP FILE NO.

PLATE NUMBER:

16.17 APRIL 2003

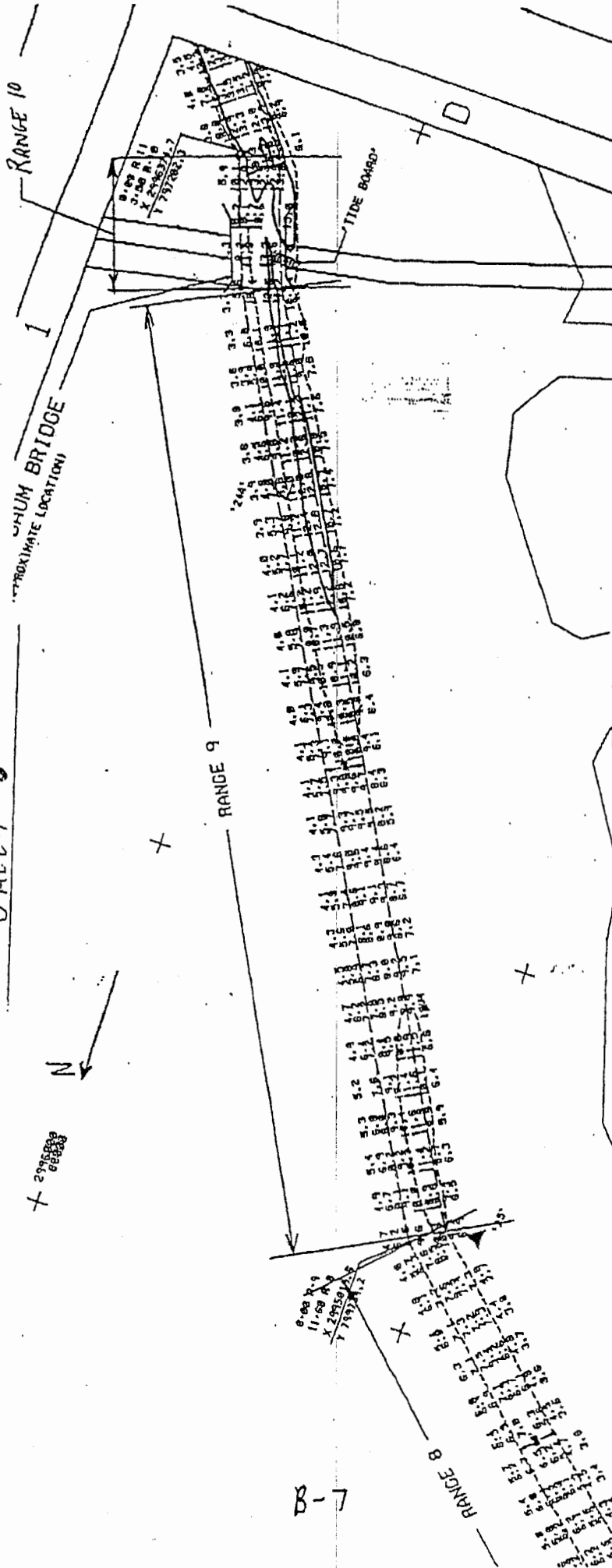
SURVEYED:

16.17 APRIL 2003

DEPTH SURVEY IN FEET MEAN LOW WATER

MANTEO TO WANCHESE CHANNEL, - RANGES 8 (Partial) 9, 10

SHEET 6

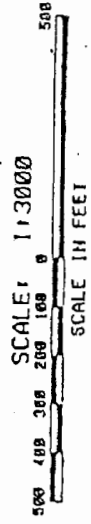


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MAR 04 2004

COASTAL MANAGEMENT
ELIZABETH CITY

(Added by Amendment No. 0001)



U.S. ARMY ENGINEER DISTRICT
CORPS OF ENGINEERS
WILMINGTON, NORTH CAROLINA

MANTEO (SHALLOWBAY) NORTH CAROLINA
US ARMY CORPS
OF ENGINEERS

RANGES 5 THRU 10

SURVEYED BY:
C.R.P.

DRAWN BY:
J.R.A.

CHECKED BY:

REVIEWED BY:
RMV

APPROVED BY:

SCALE: 1:3000

DATE: 21 APRIL 2003

MAP FILE NO.
MB 105-03-26

PLATE
NUMBER: 16,17 APRIL 2003

CHIEF NAVIGATION BRANCH

SHEET OF

ATTACHMENT 5

CAMA CONSISTENCY DETERMINATION FOR WALTER SLOUGH

(Revised by Amendment No. 0001)



North Carolina Department of Environment and Natural Resources
Division of Coastal Management

Michael F. Easley, Governor

Charles S. Jones, Director

William G. Ross Jr., Secretary

August 20, 2004

Phillip M. Payonk
Environmental Resources Section
Wilmington District Office
U.S. Army Corp of Engineers
P.O. Box 1890
Wilmington, NC 28402-1890

SUBJECT: Walter Slough Navigation Channel Dredging (CESAW-TS-PE-04-28-0012)

Dear Mr. Payonk:

The Division of Coastal Management received, on July 20, 2004, a consistency determination from the U.S. Army Corps of Engineers that the proposed dredging of the navigation channel at Walter Slough is consistent to the maximum extent practical with the enforceable policies of the North Carolina Coastal Area Management Act. On August 18, 2004 we mailed out a letter concurring that the proposed project is consistent, to the maximum extent practical, with the State's coastal program.

We have since received additional comments from other State agencies that we are forwarding to you through this letter. We encourage the Corps to incorporate these comments, to the maximum extent practical, into the proposed dredging project. If you have any questions, please contact Stephen Rynas at 252-808-2808. Thank you for your consideration of the North Carolina Coastal Management Program.

Sincerely,

Stephen Rynas, AICP
Federal Consistency Coordinator

cc: Ted Tyndall, Division of Coastal Management
Ted Sampson, Division of Coastal Management

151-B Hwy. 24, Hestron Plaza II, Morehead City, North Carolina 28557-2518
Phone: 252-808-2808 \ FAX: 252-247-3330 \ Internet: www.nccoastalmanagement.net

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(Added by Amendment No. 0001)



North Carolina Department of Environment and Natural Resources
Division of Coastal Management

Michael F. Easley, Governor

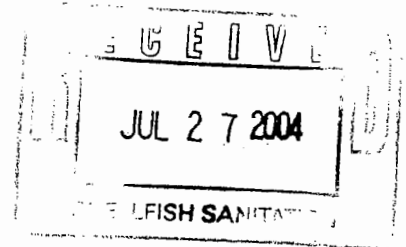
Charles S. Jones, Director

William G. Ross Jr., Secretary

MEMORANDUM

July 26, 2004

TO: Patty Fowler
Shellfish Sanitation District
NCDENR - Division of Environmental Health
Marine Fisheries Building, P.O. Box 769
Morehead City, NC 28557-0769



FROM: Stephen Rynas, Federal Consistency Coordinator

SUBJECT: Navigation Improvements to Walter Slough consisting of Dredging and Disposal.

LOCATION: Walter Slough (near Oregon Inlet), Dare County

The above listed document is being circulated for review and comment by **August 16, 2004**. Your responses will assist us in determining whether the proposed project would be consistent with the State's Coastal Management Program. You may contact me at 252-808-2808 or e-mail me at Stephen.Rynas@ncmail.net. If the proposed project does not conform to your requirements, please identify the measures that would be necessary to bring the proposed project into conformance.

REPLY

____ No Comment.
____ This office supports the project as proposed.
✓ _____ Comments to this project are attached.
____ This office objects to the project as proposed.



Morehead City DCM

Signed: Ken Salvo for Patty Fowler

Date: 8-16-04

CORRECTIONS

Please identify any corrections, additions, or deletions that should be made in terms of contact information.

RETURN COMPLETED FORM

to
Stephen Rynas, Federal Consistency Coordinator
NC Division of Coastal Management
Hestron Plaza II, 151B Hwy. 24
Morehead City, NC 28557-2518

August 16, 2004

MEMORANDUM

TO: Stephen Rynas, Federal Consistency Coordinator

FROM: Lees Sabo
Shellfish Sanitation and Recreational Water Quality Section

SUBJECT: Navigation Improvements to Walter Slough consisting of Dredging and Disposal

The Shellfish Sanitation and Recreational Water Quality Section concerns are centered upon the transfer of soils or waters from closed shellfishing areas to open shellfishing areas during dredging operations.

The subject project proposes to relocate all dredge spoils to an upland disposal site, "Island D", located within open shellfishing waters. A portion of the Walter Slough adjacent to the Oregon Inlet Fishing Center (refer to attachment: PROHIBITED TERRITORY MAP, ROANOKE SOUND AREA, Area H-1, Map 6) is within waters closed to the harvest of shellfish. As such, the following is requested as a project condition:

When discharges of dredged or fill materials from waters closed to the harvest of shellfish are placed in waters that are open to the harvest of shellfish, a minimum of 24 hour prior notification shall be given to The Shellfish Sanitation and Recreational Water Quality Section so that appropriate temporary closures to the harvest of shellfish may be put in place.

Specifically, upon transfer of spoils from the above-mentioned closed shellfishing area to the designated spoil site at Island D, a temporary closure to shellfish harvest in the adjacent waters of the Roanoke Sound will be recommended. This closure will extend throughout the dewatering process, and will be lifted upon satisfactory bacteriological sampling after project completion. It should be noted that oyster harvest 'season' in NC generally includes the months of November through February, so it is preferred that dredging of the closed areas not be done during this time frame if possible.

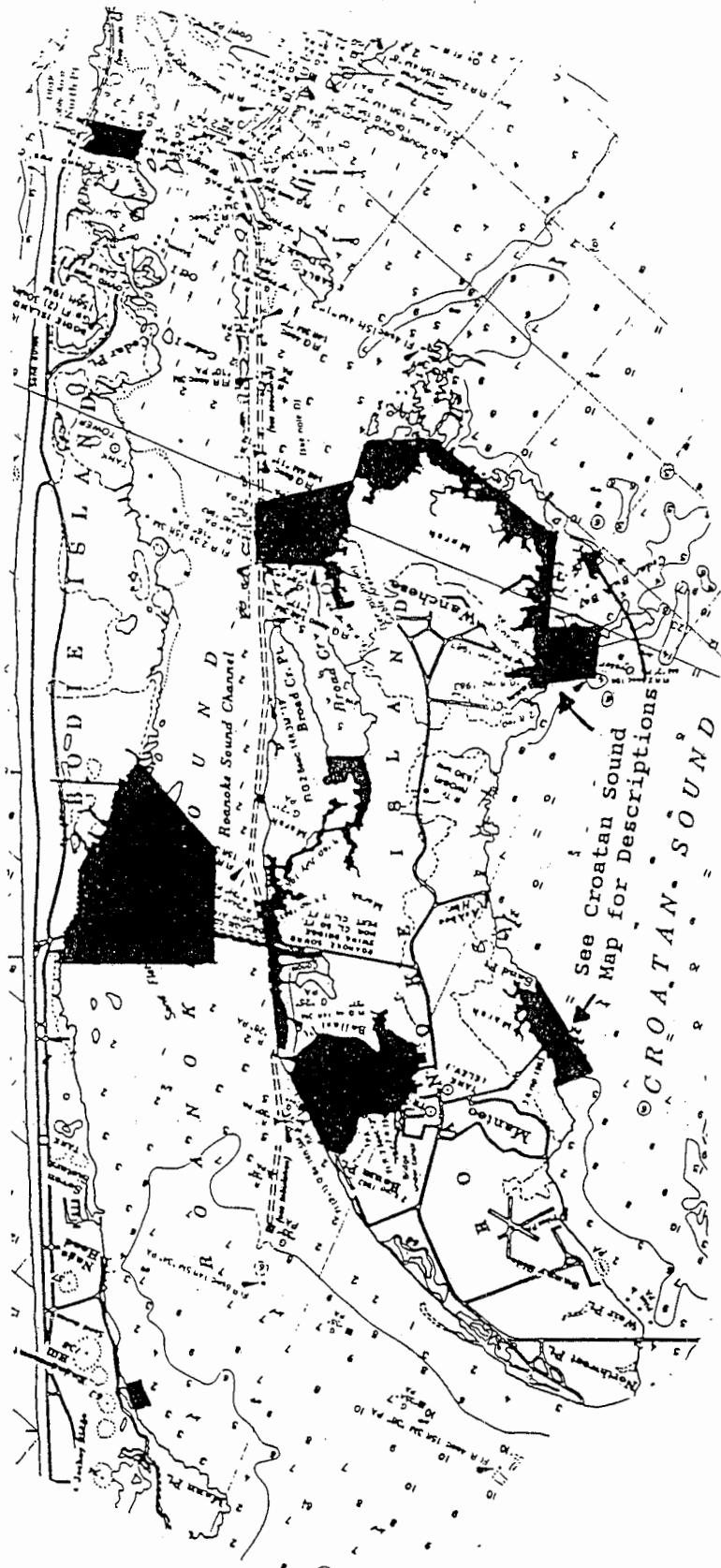
ROANOKE SOUND AREA

Area H-1 (Map 6)

PROHIBITED TERRITORY

DARE COUNTY

(Prohibited areas are shaded)



Revised: 12/30/81, 11/10/82, 2/14/84, 7/12/84, 7/3/89, 8/13/96, 1/98

NO PERSON SHALL TAKE OR ATTEMPT TO TAKE ANY OYSTERS, CLAMS OR MUSSELS OR POSSESS, SELL, OR OFFER FOR SALE ANY OYSTERS, CLAMS OR MUSSELS TAKEN FROM THE FOLLOWING AREAS, AT ANY TIME:

(Description continued on back of map)

(6) ROANOKE SOUND AREA

- (a) All waters in Shallowbag Bay and its tributaries southwest of a straight line from Baum Point to Ballast Point.
- (b) All the waters within a line beginning at the south side of the mouth of Broad Creek and running to Channel Marker F1R "10"; thence to Channel Marker R "8"; thence due southwest to a point on the shore; thence along the shore in a northerly direction to the point of beginning, to include Mills Creek and its tributaries.

- (c) Those waters around the Villa Condominium STP Outfall beginning at a point $35^{\circ} 57' 54''$ N - $75^{\circ} 38' 46''$ W; thence 200 yards in a southwesterly direction to a point in the sound at $35^{\circ} 57' 48''$ N - $75^{\circ} 38' 50''$ W; thence 400 yards in a southeasterly direction to a point in the sound at $35^{\circ} 57' 38''$ N - $75^{\circ} 38' 39''$ W; thence in a northeasterly direction to a point on shore at $35^{\circ} 57' 45''$ N - $75^{\circ} 38' 36''$ W.
- (d) All those waters in Roanoke Sound bounded by a line beginning at a point on the east shore near Whalebone at $35^{\circ} 54' 30''$ N - $75^{\circ} 36' 10''$ W; thence in a westerly direction 2700 yards to a point in the Sound at $35^{\circ} 54' 02''$ N - $75^{\circ} 37' 40''$ W; thence in a southerly direction 2150 yards to a point at $35^{\circ} 53' 04''$ N - $75^{\circ} 37' 04''$ W; thence in a southeasterly direction 2000 yards to a point on shore at $35^{\circ} 52' 36''$ N - $75^{\circ} 36' 02''$ W, to include all creeks and tributaries.
- (e) All those waters beginning at a point near Oregon Inlet Fishing Center at $35^{\circ} 47' 44''$ N - $75^{\circ} 33' 08''$ W; thence in a westerly direction to a point at $35^{\circ} 47' 45''$ N - $75^{\circ} 33' 26''$ W; thence in a southerly direction to Channel Marker #9 at $35^{\circ} 47' 36''$ N - $75^{\circ} 33' 26''$ W; thence in an easterly direction to a point on shore at $35^{\circ} 47' 36''$ N - $75^{\circ} 33' 52''$ W.
- (f) All those waters bounded by a line beginning at a point on Ballast Point at $35^{\circ} 54' 33''$ N - $75^{\circ} 38' 40''$ W; thence in a straight line to the east side of the causeway draw bridge at $35^{\circ} 53' 40''$ N - $75^{\circ} 38' 07''$ W; thence to Channel Marker #24 at $35^{\circ} 53' 22''$ N - $75^{\circ} 37' 50''$ W; thence across channel to marsh at $35^{\circ} 53' 20''$ N - $75^{\circ} 37' 55''$ W; thence across Johns Creek in a northerly direction along shore back to the point of beginning. This will close Pirates Cove and all other tributaries within said boundary.
- (g) Broad Creek - All those waters in Broad Creek north of a straight line beginning at a point on the west shore at $35^{\circ} 51' 47''$ N - $75^{\circ} 38' 15''$ W; thence across the creek to a point on the east shore at $35^{\circ} 51' 57''$ N - $75^{\circ} 37' 54''$ W; to include all of Johns Creek.



North Carolina Department of Environment and Natural Resources

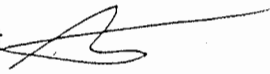
Michael F. Easley, Governor
William G. Ross Jr., Secretary

Division of Marine Fisheries

Preston P. Pate Jr., Director

MEMORANDUM

TO: Doug Huggett
Major Permits and Consistency Coordinator

FROM: Mike Street 

DATE: August 9, 2004

SUBJECT: CAMA DREDGE AND FILL PERMIT
Walter Slough / Dare County

RECEIVED

AUG 16 2004

DIV. OF COASTAL MANAGEMENT
RALEIGH

AUG 19 2004

Morehead City DCM

Attached is the Divisions' reply for the above referenced project. If you have any questions, please do not hesitate to contact me.

MS/sw

3441 Arendell Street, P.O. Box 769, Morehead City, North Carolina 28557
Phone: 252 726-7021 \ FAX: 252 727-5127 \ Internet: www.ncdmf.net

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North Carolina
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(Added by Amendment No. 0001)



North Carolina Department of Environment and Natural Resources

Division of Marine Fisheries

Michael F. Easley, Governor
William G. Ross Jr., Secretary

Preston P. Pate Jr., Director

MEMORANDUM:

TO: Doug Huggett, DCM Major Permits Coordinator

THROUGH: Mike Street, Chief Habitat Section

FROM: Sara E. Winslow, Northern District Manager *SEW*

SUBJECT: Walter Slough - Dare County

DATE: August 2, 2004

The North Carolina Division of Marine Fisheries submits the following comments pursuant to General Statute 113-131.

The proposal is for Walter Slough to become a federally maintained channel. The channel would be 60 ft wide and in problem areas with increased shoaling 90 ft wide. The final depth being 7 ft, with 2 ft over depth. Island D is the proposed disposal site. The island is estimated to have a 50 year life which includes the initial material and maintenance dredging.

SAV is found throughout the area but not within the channel alignment. The goal of no net loss of SAVs is stated in the document. Proper preparation and monitoring of the spoil disposal site must occur to ensure SAVs are not impacted.

The Division recommends that the dredging occur as soon as practical once the moratorium (April - September) is over. The document states that dredging will likely take place between January 1 through March 31. If unforeseen problems occur towards the end the dredging would not be complete prior to the moratorium time period.

The Division supports this project provided these concerns are addressed.

(Added by Amendment No. 0001)



North Carolina Department of Environment and Natural Resources
Division of Coastal Management

Michael F. Easley, Governor

Charles S. Jones, Director

William G. Ross Jr., Secretary

MEMORANDUM

July 26, 2004

TO: Mike Street
NCDENR - Division of Marine Fisheries
P.O. Box 769
Morehead City, NC 28557-0769

FROM: Stephen Rynas, Federal Consistency Coordinator

SUBJECT: Navigation Improvements to Walter Slough consisting of Dredging and Disposal.

LOCATION: Walter Slough (near Oregon Inlet), Dare County

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REPLY

☐ No Comment.

☐ This office supports the project as proposed.

☒ Comments to this project are attached.

☐ This office objects to the project as proposed.

Signed

Laura E. [Signature]

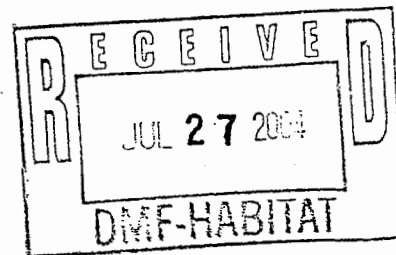
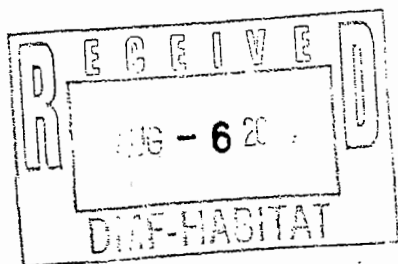
Date: 8-2-04

CORRECTIONS

Please identify any corrections, additions, or deletions that should be made in terms of contact information.

RETURN COMPLETED FORM

to
Stephen Rynas, Federal Consistency Coordinator
NC Division of Coastal Management
Hestron Plaza II, 151B Hwy. 24
Morehead City, NC 28557-2518



(Added by Amendment No. 0001)



North Carolina Department of Cultural Resources
State Historic Preservation Office

Peter B. Sandbeck, Administrator

Michael F. Easley, Governor
Lisbeth C. Evans, Secretary
Jeffrey J. Crow, Deputy Secretary

Office of Archives and History
Division of Historical Resources
David Brook, Director

August 12, 2004

TO: ✓ Doug Huggett, Chief
Major Permits Processing Section
Division of Coastal Management, DENR

Colonel Charles R. Alexander, District Engineer
Army Corps of Engineers, Wilmington District

FROM: Peter B. Sandbeck *for Peter Sandbeck*

SUBJECT: US Army Corps of Engineers, Navigation Improvements, Walter Slough,
Dare County, ER 04-2053

RECEIVED

AUG 17 2004

DIV. OF COASTAL MANAGEMENT
RALEIGH

We have reviewed the above permit application concerning the US Army Corps of Engineer's proposed plans for navigation improvements in Walter Slough near Oregon Inlet. Our staff inspected the project specifications carefully and determined that the excavation of dredge materials constitutes a major bottom disturbance.

In the underwater portions of this project no known archaeological sites are recorded. Based on our present knowledge of the area, it is unlikely that any submerged archaeological resources, which may be eligible for listing in the National Register of Historic Places will be affected by the project construction. We, therefore, recommend that no underwater archaeological investigation be conducted in connection with this project.

We would like to notify you that this project should be undertaken with caution. If during construction submerged archaeological materials are encountered, such as shipwreck remains, it is the responsibility of the Army Corps of Engineers-Wilmington District to notify us immediately, pursuant to Section 106 of the National Historic Preservation Act of 1966. In addition, the area is protected by North Carolina legislation (G.S. 121-22 to 28, Article 3: salvage of abandoned shipwrecks and other underwater archaeological materials on all bottoms from low water to one marine league seaward, and bottoms of other navigable waters). This law is supported by the Abandoned Shipwreck Act of 1987 (P.L. 100-298) which gives the state jurisdiction over a broad range of living and nonliving resources in state waters and submerged lands, including certain abandoned shipwreck, which have been deserted and to which the owner has relinquished ownership rights with no retention.

ADMINISTRATION
RESTORATION
SURVEY & PLANNING

Location
507 N. Blount Street, Raleigh NC
515 N. Blount Street, Raleigh NC
515 N. Blount Street, Raleigh, NC

Mailing Address
4617 Mail Service Center, Raleigh NC 27699-4617
4617 Mail Service Center, Raleigh NC 27699-4617
4617 Mail Service Center, Raleigh NC 27699-4617

Telephone/Fax
(919)733-4763/733-8653
(919)733-6547/715-4801
(919)733-6545/715-4801

(Added by Amendment No. 0001)

Thank you for your cooperation and consideration. If you have questions concerning the above comment, please contact Renee Gledhill-Earley, environmental review coordinator, at 919/733-4763. In all future communication concerning this project, please cite the above referenced tracking number.

PBS:w



North Carolina Department of Environment and Natural Resources
Division of Coastal Management

Michael F. Easley, Governor

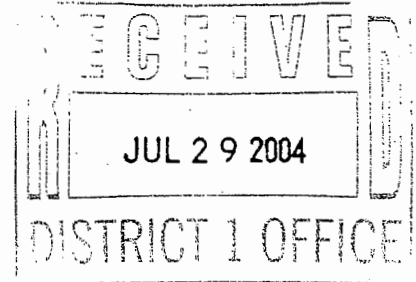
Charles S. Jones, Director

William G. Ross Jr., Secretary

MEMORANDUM

July 26, 2004

TO: Ken Pace
State Construction/Materials Branch
Highway Building, First Floor
NCDOT, 1501 Mail Service Center
Raleigh, NC 27699-1501



FROM: Stephen Rynas, Federal Consistency Coordinator

SUBJECT: Navigation Improvements to Walter Slough consisting of Dredging and Disposal.

LOCATION: Walter Slough (near Oregon Inlet), Dare County

The above listed document is being circulated for review and comment by **August 16, 2004**. Your responses will assist us in determining whether the proposed project would be consistent with the State's Coastal Management Program. You may contact me at 252-808-2808 or e-mail me at Stephen.Rynas@ncmail.net. If the proposed project does not conform to your requirements, please identify the measures that would be necessary to bring the proposed project into conformance.

REPLY

☒ No Comment.
☐ This office supports the project as proposed.
☐ Comments to this project are attached.
☐ This office objects to the project as proposed.

Signed: Charles Smith

Date: 8-12-04

CORRECTIONS

Please identify any corrections, additions, or deletions that should be made in terms of contact information.

RETURN COMPLETED FORM

to

Stephen Rynas, Federal Consistency Coordinator
NC Division of Coastal Management
Hestron Plaza II, 151B Hwy. 24
Morehead City, NC 28557-2518

ATTACHMENT 6

CORPS OF ENGINEERS REGULATORY DIVISION PERMIT FOR NORTH CHANNELS

September 8, 2004

Regulatory Division

Action ID No. 200411307 and State Permit No. 106-04

North Carolina Division of Water Resources
C/O Mr. John Sutherland
1611 Mail Service Center
Raleigh, North Carolina 27699-1611

Dear Mr. Sutherland:

Reference your application for a Department of the Army permit to perform maintenance dredging activities within Ranges 5-10 of the Manteo to Wanchese Navigation Channel, and Ranges 4A and 4B of the North Channel, and construct an upland diked spoil disposal area, on property located off NC Highway 345 and US Highway 64/264, adjacent to the Roanoke Sound, on Roanoke Island, Dare County, North Carolina.

Your proposal has been reviewed and found to be consistent with the provisions and objectives of general permit No. 198000291. Therefore, you may commence construction activity in strict accordance with applicable State authorization and the approved plan. Failure to comply with the State authorization or conditions of the general permit could result in civil and/or administrative penalties.

If any change in your work is required because of unforeseen or altered conditions or for any other reason, plans revised to show the change must be sent promptly to this office and the North Carolina Division of Coastal Management prior to performing any such change or alteration. Such action is necessary as revised plans must be reviewed and the authorization modified.

Questions or comments may be addressed to Mr. Raleigh Bland, Washington Field Office, Regulatory Branch, telephone (252) 975-1616, extension 23.

Sincerely,

Raleigh Bland, P.W.S.
Regulatory Project Manager

Copies Furnished without enclosure:

Mr. John Dorney
Division of Water Quality
North Carolina Department of Environment
and Natural Resources
1650 Mail Service Center
Raleigh, North Carolina 27699-1650

Mr. Ronald J. Mikulak, Chief
Wetlands Regulatory Section
Water Management Division
U.S. Environmental Protection Agency
61 Forsyth Street, SW
Atlanta, Georgia 30303

Mr. Doug Huggett
Division of Coastal Management
North Carolina Department of Environment
and Natural Resources
Hestron Plaza II, 151-B Highway 24
Morehead City, North Carolina 28557

Mr. Pete Benjamin
U.S. Fish and Wildlife Service
Fish and Wildlife Enhancement
Post Office Box 33726
Raleigh, North Carolina 27636-3726

Mr. Ron Sechler
National Marine Fisheries Service
Pivers Island
Beaufort, North Carolina 28516

Mr. David Rackley
NMFS, Habitat Conservation Division
219 Fort Johnson Road
Charleston, South Carolina 29412-9110

Mr. Ted Sampson, District Manager
Elizabeth City Regional Office
North Carolina Division of Coastal Management
1367 US 17 South
Elizabeth City, North Carolina 27909